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August 7, 2012

Via ECF

Honorable Carol B. Amon
Chief United States District Court Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Vincent Badalamenti
Criminal Docket No. 12-050 (S-1)(CBA)

Dear Chief Judge Amon:

On July 25, 2012, Mr. Badalamenti was scheduled to be sentenced by Your Honor, but due to the Court's request for additional information concerning the defendants alleged criminal activities, the Court Ordered the following schedule by which this information was to be provided by the government, and responded to by the defense. In short, the government was Ordered to provide its additional information by August 6, 2012, and the defense was to respond, one week later, on August 13, 2012.

It is now, after 5:30 p.m. on August 7, 2012 and we still have not received any of the sought after additional information from the government. We attempted to reach AUSA Dennehy to inquire concerning our failure to receive their submission but were unable to reach him. Presumably, the government provided this information directly to Probation and the Court, but I do not know that to be accurate. Nonetheless, by this letter I am not complaining that we have yet to receive this information, but rather am requesting that the Court modify the current schedule to enable counsel the week we had initially been afforded to respond to the government's submission.

Thus, I respectfully request that this Court modify the current schedule for submissions to allow counsel 7 days from the date in which we receive this new information – whether it be directly from the government or in the form of an addendum to the Pre-Sentence Report.

Respectfully submitted,

/s/

Ronald P. Fischetti